

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

TODD MICHAEL TOMASELLA	§	
	§	
v.	§	CIVIL ACTION NO. 3:20-CV-476-S-BH
	§	
DIVISION OF CHILD SUPPORT, et al.	§	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case [ECF No. 109]. Petitioner filed objections [ECF No. 114]. The District Court reviewed the findings, conclusions, and recommendation de novo. Finding no error, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.


For the reasons articulated therein, Judge Blair's First Amended Motion to Dismiss [ECF No. 62], Defendants' Bryan Beavers and Rhonda Hughey's Motion to Dismiss Plaintiff's Amended Complaint [ECF No. 68], and Defendant Warren Kenneth Paxton's Motion to Dismiss Plaintiff's First Amended Complaint [ECF No. 70], are **GRANTED**.

By separate judgment, Plaintiff's state law claims for invasion of privacy, intentional infliction of emotional distress, tortious interference, civil conspiracy, and malicious prosecution, as well as his claims under the Racketeer Influence and Corrupt Organizations Act and under 42 U.S.C. § 1983 for violation his First Amendment rights, against Defendants Casey Blair, Bryan Beavers, Rhonda Hughey, and Warren Kenneth Paxton, will be **DISMISSED** without prejudice for lack of subject matter jurisdiction. Plaintiff's constitutional claims for violations of his Fourth, Sixth, Eighth, and Fourteenth Amendment under 42 U.S.C. § 1983, as well as his state law claims for false arrest, and false imprisonment, against Defendants Casey Blair, Bryan Beavers, Rhonda

Hughey, and Warren Kenneth Paxton, will be **DISMISSED** with prejudice for failure to state a claim.

SO ORDERED.

SIGNED September 27, 2021.


UNITED STATES DISTRICT JUDGE